

REMARKS

In response to the Restriction Requirement mailed March 21, 2006, Applicant elects to prosecute the claims of Restriction Group II with traverse.

TRAVERSE

Applicant respectfully requests that Groups II and III be grouped together. It is well established that restriction is only proper when search and examination is "a serious burden on the examiner." See MPEP §803.

Each of the Groups relates to a binding agent that competes with a monoclonal antibody for specific binding to the human cytochrome p450 2C9 allelic variants 2C9*1, 2C9*2, and 2C9*3.

Group II relates to a binding agent that competes with a monoclonal antibody MAb 763-15-5 for specific binding to the human cytochrome p450 2C9 allelic variants 2C9*1, 2C9*2, and 2C9*3.

Group III relates to a binding agent that competes with a monoclonal antibody MAb 763-15-20 for specific binding to the human cytochrome p450 2C9 allelic variants 2C9*1, 2C9*2, and 2C9*3.

The Restriction Requirement says both Groups II and III can be classified in Class 530.

The Requirement also says that Group II can be classified in subclass 388.1, and Group III can be classified in subclass 388.2. Applicants respectfully submit that this distinction is arbitrarily applied, as both Groups II and III involve binding agents that compete for specific binding to the same allelic variants of human cytochrome p450 2C9 (i.e. variants 2C9*1, 2C9*2, and 2C9*3).

Applicants further submit that there is no undue burden on the Examiner to consider Group II and III claims together. Applicant submits that due to the relationship between these groups, it is natural and desirable to conduct the search in connection with examination of the claims of Groups II and III; indeed, simultaneous prosecution of the Groups would be more

efficient. Absent evidence to the contrary, Applicant submits that a key word search for either of these groups would be very similar, if not identical, to a keyword search for the other. What is more, Applicants note that Group IV relates to binding agents that compete with two different monoclonal antibodies (i.e. 5-1-5 and 281-1-1) for the same antigen, namely human cytochrome p450 2C8, without restriction between the two antibodies.

Applicants submit that absent evidence to the contrary, Groups II and III have similar status in the art, would not involve different fields of search, and are sufficiently related under the classification schedule such that they can be examined together without a serious undue burden.

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned.

Respectfully submitted,



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